



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,105	12/29/2000	James M. Rogers	20009.0050US01 (BS00-139)	6282
45695 7590 07/01/2009 AT&T Legal Department - WK Attn: Patent Docketing Room 2A-207 One AT&T Way Bedminster, NJ 07921				
EXAMINER				
TAYLOR, JOSHUA D				
ART UNIT		PAPER NUMBER		
2426				
MAIL DATE		DELIVERY MODE		
07/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/750,105

Applicant(s)

ROGERS ET AL.

Examiner

JOSHUA TAYLOR

Art Unit

2426

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-9, 11, 21, 24-29 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-9, 11, 21, 24-29 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This Office Action is in response to an AMENDMENT entered March 10, 2009 for the patent application 09/750,105 filed on December 29, 2000.

Status of Claims

3. Claims 1-3, 7-9, 11, 21, 24-29 and 31-33 are pending. Claim 21 is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 7-9, 11, 24-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al. (Pat. No.: US 6,698,020) in view of Knee et al. (Pub. No.: US 2002/0095676) and Ficco (Pub. No.: US 2005/0166224).

Examiner's Note (EN): ¶10 below applies.

Regarding claim 1, Zigmond discloses **a method for inserting targeted advertisements into a media delivery stream during broadcast media programming (Fig. 3), comprising: receiving at a media delivery device a plurality of advertisements pre-identified by a transmitting entity to appeal to a preference of one or more viewers (see Zigmond, Figs. 1,**

3, 5 and 7, column 3, line 45 – column 4, line 67), **receiving and storing data representing a set of characteristics associated with each of the plurality of advertisement received by the media delivery device** (Fig. 5, element 80) **in a database** (Fig. 5, element 86. Zigmond notes wherein the “stored advertisements are each of a type that is determined to appeal to one or more users of the media delivery device (column 12, lines 15-24 and column 13, lines 7-12).”); **receiving a signal at the media delivery device to insert a stored advertisement into the media delivery stream during broadcast media programming, wherein the signal to insert the stored advertisement is sent with the broadcast media programming** (column 15, lines 35-65), **the signal including at least one required characteristic for the inserted stored advertisement** (Col 11, Lines 31-49; Col 11, Line 66 – Col 12, Line 32; Col 16, Lines 43-56, a requirement); **inserting the selected advertisement stored in the database into the media delivery stream** (column 15, lines 56-65), and also discloses wherein one characteristic may include **the past usage of the stored advertisement by the display device** (column 13, lines 40-47. Zigmond discloses that once an advertisement has been viewed a certain number of times in a given time period, it can be blocked from being used again.)

In selecting an advertisement for insertion, Zigmond contemplates that a “search by classification [may] produce more than one stored advertisement” whereupon the system selects one advertisement for insertion (Col 16, Line 65 – Col 17, Line 9). Part of the selection criteria may include demographic information (Col 14, Lines 34-48). Zigmond, however, is unclear with respect to the particular usage of ‘weighting’ in selecting between multiple advertisements that match a given category.

In an analogous art pertaining to the problem of advertisement insertion, Knee discloses **searching the set of characteristics associated with each of the plurality of advertisements and selecting advertisements that satisfy the at least one required characteristic provided in the signal** (paragraphs [0029]-[0034], [0046], [0047] and [0049]); **when the search produces more than one stored advertisement satisfying the at least one required characteristic, selecting the stored advertisement to be inserted by applying a weighting to at least one characteristic of each of the stored advertisements and comparing at least one weighted characteristic of each stored advertisement** (paragraphs [0029]-[0034], [0046], [0047] and [0049]). For example, even though both advertisements match being for 'sports fans' a closest match fit would result in the selection of advertisement #2. As evidenced by Knee et al., the technique of categorization 'weighting' for selecting between advertisements that meet a desired classification in order to choose the best advertisement for display was part of the ordinary capabilities of a person of ordinary skill in the art. Therefore, it would have been obvious to one having ordinary skill in the art to utilize the known technique with Zigmond so as to refine its advertisement selection process using demographic information (Knee, paragraphs [0007]-[0008]).

Knee does teach comparing the two advertisements together, when the search produces more than one stored advertisement satisfying at least one classification requirement (see Knee, each ad compared in fig. 2 satisfy a requirement), at least via the well-known transitivity principles (see Knee, fig. 2 and paragraphs [0046]-[0049] and page 6, claim 14; Knee's methodology makes use of the well known mathematical principle of transitivity, that is, Knee at least compares the values of ad 1 to a benchmark (e.g. a profile) and then compares the values of

ad 2 to a benchmark and the benchmark being the same set of values for the comparisons allows the user of transitivity to compare the values of ad 1 and the values of ad 2 together. So, if ad 1 = A and ad 2 = C and the benchmark = B, then if $A > B$ and $B > C$, then $A > C$); however, Knee is unclear about on-the-fly individualization of ads in comparing the sets together.

Ficco, who discloses broadcast advertisement adaptation, does also teach such comparison (see Ficco, paragraphs [0005], [0010] and [0036]), the Ficco reference also denotes a method for inserting targeted ads into a delivery stream, where a plurality of ads are received as pre-identified to appeal to preferences (see Ficco, figs. 1 and 2), data representing characteristics associated with the ads is received (see Ficco, paragraph [0039]), creating a record associated with the ads (see Ficco, paragraph [0043]), searching the records for ads satisfying a classification (see Ficco, paragraphs [0043]-[0044] and [0084]-[0090]), comparing the ads on at least two classification elements (or weightings) (see Ficco, paragraphs [0043]-[0045]), insert ad and transmit request, (see Ficco, fig. 5)).

Therefore, in further support of the non-obvious status of the claims, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Zigmond and Knee with that of Ficco in order to individualize the process on the fly (see Ficco, paragraphs [0005] and [0010]).

Regarding claim 2, **the method for inserting targeted advertisements into a media delivery stream according to claim 1** is rejected as stated above, and Zigmond further discloses **wherein the advertisements are television commercials** (column 1, lines 14-22 and column 7, lines 13-25).

Regarding claim 3, **the method for inserting targeted advertisements into a media delivery stream according to claim 2** is rejected as stated above, and Zigmond further discloses wherein the media delivery device is a set top box for receiving broadcast signals for a cable or satellite television network system (column 7, lines 1-12 and 37-51).

Regarding claim 7, **the method for inserting targeted advertisements into a media delivery stream according to claim 1** is rejected as stated above, and Zigmond further discloses wherein the set of characteristics associated with each of the plurality of advertisements include at least two of: the identity of the advertiser, the types of broadcasts already broadcast during a television program, the time of the day of the week of the television program, a frequency by which each resulting commercial has been inserted, a price paid by an advertiser, a expiration date of an advertising contract, and a correlation between a product being advertised and a type of the television program being viewed (column 12, line 60 – column 13, line 6, and column 13, lines 40-47. These passages disclose a frequency by which each resulting commercial has been inserted as well as a correlation between a product being advertised and a type of the television program being viewed.).

Regarding claim 8, **the method for inserting targeted advertisements into a media delivery stream according to claim 3** is rejected as stated above, and Zigmond further discloses wherein the plurality of advertisements are received by the media delivery device as encoded data files through the telecommunications link to an external database of advertisements (Column 14, line 66 – column 15, line 17, column 15, lines 24-34).

Regarding claim 9, **the method for inserting targeted advertisements into a media delivery stream according to claim 1** is rejected as stated above, and Zigmond discloses

further comprising: transmitting signals between the media delivery device and the external network indicating the one or more types of advertisements that appeal to users of the media delivery device (column 9, lines 21-38).

Regarding claim 11, **the method for inserting targeted advertisements into a media delivery stream according to claim 1** is rejected as stated above, and Zigmond further discloses **wherein the at least one characteristic of each stored advertisement of the more than one stored advertisements satisfying the at least one required characteristic includes one or more of: a sponsor name; a type of product advertised; and a relative pricing of the product advertised** (column 12, line 60 – column 13, line 6. Zigmond discloses a sponsor, such as the advertiser of a current-release motion picture, as well as a type of product advertised, i.e. said motion picture.).

Regarding claim 24, Zigmond discloses **a computer readable medium containing instructions for performing acts when executed on a computing device** (column 6. lines 48-61), **comprising: receiving at a media delivery device a plurality of advertisements pre-identified by a transmitting entity to appeal to a preference of one or more viewers** (see Zigmond, Figs. 1, 3, 5 and 7, column 3, line 45 – column 4, line 67); **receiving and storing data representing a set of characteristics associated with each of the plurality of advertisements received by the media delivery device** (Fig. 5, element 80) **in a database** (Fig. 5, element 86. Zigmond notes wherein the “stored advertisements are each of a type that is determined to appeal to one or more users of the media delivery device (column 12, lines 15-24 and column 13, lines 7-12).”), **each of the set of characteristics being unassociated with the one or more viewers** (column 12, line 60 – column 13, line 6, and column 13, lines 40-47. These passages disclose a

frequency by which each resulting commercial has been inserted as well as a correlation between a product being advertised and a type of the television program being viewed, both of which are unassociated with the viewer.); **receiving a signal at the media delivery device to insert a stored advertisement into a media delivery stream during broadcast media programming, wherein the signal to insert the stored advertisement is sent with the broadcast media programming** (column 15, lines 35-65), **the signal including at least one required characteristic for the inserted stored advertisement** (Col 11, Lines 31-49; Col 11, Line 66 – Col 12, Line 32; Col 16, Lines 43-56, a requirement); **inserting the selected advertisement into the media delivery stream** (column 15, lines 56-65).

In selecting an advertisement for insertion, Zigmond contemplates that a “search by classification [may] produce more than one stored advertisement” whereupon the system selects one advertisement for insertion (Col 16, Line 65 – Col 17, Line 9). Zigmond, however, is unclear with respect to the particular usage of ‘weighting’ in selecting between multiple advertisements that match a given category.

In an analogous art pertaining to the problem of advertisement insertion, Knee discloses **searching the set of characteristics associated with each of the plurality of advertisements and selecting advertisements that satisfy the at least one required characteristic provided in the signal** (paragraphs [0029]-[0034], [0046], [0047] and [0049]); **when the search produces more than one stored advertisement satisfying the at least one required characteristic, selecting the stored advertisement to be inserted by applying a weighting to at least one characteristic of each of the stored advertisements and comparing at least one weighted characteristic of each stored advertisement** (paragraphs [0029]-[0034], [0046], [0047] and

[0049]). For example, even though both advertisements match being for 'sports fans' a closest match fit would result in the selection of advertisement #2. As evidenced by Knee et al., the technique of categorization 'weighting' for selecting between advertisements that meet a desired classification in order to choose the best advertisement for display was part of the ordinary capabilities of a person of ordinary skill in the art. Therefore, it would have been obvious to one having ordinary skill in the art to utilize the known technique with Zigmond so as to refine its advertisement selection process using demographic information (Knee, paragraphs [0007]-[0008]).

Knee does teach comparing the two advertisements together, when the search produces more than one stored advertisement satisfying at least one classification requirement (see Knee, each ad compared in fig. 2 satisfy a requirement), at least via the well-known transitivity principles (see Knee, fig. 2 and paragraphs [0046]-[0049] and page 6, claim 14; Knee's methodology makes use of the well known mathematical principle of transitivity, that is, Knee at least compares the values of ad 1 to a benchmark (e.g. a profile) and then compares the values of ad 2 to a benchmark and the benchmark being the same set of values for the comparisons allows the user of transitivity to compare the values of ad 1 and the values of ad 2 together. So, if ad 1 = A and ad 2 = C and the benchmark = B, then if $A > B$ and $B > C$, then $A > C$.); however, Knee is unclear about on-the-fly individualization of ads in comparing the sets together.

Ficco, who discloses broadcast advertisement adaptation, does also teach such comparison (see Ficco, paragraphs [0005], [0010] and [0036]), the Ficco reference also denotes a method for inserting targeted ads into a delivery stream, where a plurality of ads are received as pre-identified to appeal to preferences (see Ficco, figs. 1 and 2), data representing characteristics

associated with the ads is received (see Ficco, paragraph [0039]), creating a record associated with the ads (see Ficco, paragraph [0043]), searching the records for ads satisfying a classification (see Ficco, paragraphs [0043]-[0044] and [0084]-[0090]), comparing the ads on at least two classification elements (or weightings) (see Ficco, paragraphs [0043]-[0045]), insert ad and transmit request, (see Ficco, fig. 5)).

Therefore, in further support of the non-obvious status of the claims, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Zigmond and Knee with that of Ficco in order to individualize the process on the fly (see Ficco, paragraphs [0005] and [0010]).

Claims 25-29 and 31 are rejected on the same grounds as claims 2-3, 7-9 and 11, respectively.

5. Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al. (Pat. No.: US 6,698,020) in view of Knee et al. (Pub. No.: US 2002/0095676) and Ficco (Pub. No.: US 2005/0166224), and further in view of Fuse et al. (Pat. No.: US 6,078,412).

Regarding claim 32, **the method for inserting targeted advertisements into a media delivery stream according to claim 1** is rejected as stated above, but neither Zigmond, Knee nor Ficco explicitly disclose **wherein the set of characteristics associated with each of the plurality of advertisements comprises a content type field and the selecting of advertisements that satisfy the at least one required characteristic comprises applying a bit mask to the content type field wherein the most general category types are masked with**

high order bits and the most specific category types are masked with low order bits.

However, in analogous art, Fuse discloses that high order bit information can have a high importance, while low order bit information can have a low importance (column 5, lines 58-67). Therefore, since it was well known in the art at the time of the invention to set up information in a way that more important information was saved in the high order bit location, it would have been obvious to one of ordinary skill in the art at the time of the invention to mask the more important categories with higher order bits while masking the less important categories with lower order bits, in order to implement the weighted system disclosed above.

Regarding claim 32, **the computer readable medium of claim 24** is rejected as stated above, but neither Zigmond, Knee nor Ficco explicitly disclose **wherein the set of characteristics associated with each of the plurality of advertisements comprises a content type field and the selecting of advertisements that satisfy the at least one required characteristic comprises applying a bit mask to the content type field wherein the most general category types are masked with high order bits and the most specific category types are masked with low order bits.** However, in analogous art, Fuse discloses that high order bit information can have a high importance, while low order bit information can have a low importance (column 5, lines 58-67). Therefore, since it was well known in the art at the time of the invention to set up information in a way that more important information was saved in the high order bit location, it would have been obvious to one of ordinary skill in the art at the time of the invention to mask the more important categories with higher order bits while masking the less important categories with lower order bits, in order to implement the weighted system disclosed above.

Response to Arguments

6. Applicant's arguments, see pages 8-10, filed March 10, 2009, with respect to claims 1, 7, and 24-31 have been fully considered and are persuasive. The 35 USC § 112, First Paragraph rejection of claims 1, 7 and 24-31 has been withdrawn.

Applicant's arguments filed March 10, 2009 concerning the 35 USC § 103 rejections have been fully considered but they are not persuasive.

In reference to Applicant's argument:

Applicant respectfully submits that the combination of Zigmond, Knee and Ficco fail to describe or suggest each and every feature recited by claim 1. For example, claim 1 recites, "selecting the stored advertisement to be inserted by applying a weighting to at least one characteristic of each advertisement ...wherein the at least one weighted characteristic includes the past usage of the advertisement by the display device."

The Office Action concedes that Zigmond fails to describe the use of weighting in selecting between multiple advertisements. The Office Actions proceeds to assert that Knee describes, "assigning a weighting to at least two elements in each record of the plurality of advertisements." Knee describes the use of weighted factors applied to user inputs received by the set top box to determine a value for each demographic category for the user of the set top box. For example, if the set top box (STB) receives an input from a user of the set top box to record a sports program, the STB assigns a weight value of 1.0 indicating that the user of the STB has a strong affiliation to the sports fan demographic. The demographic category value determined for the user (the user value) is compared to a preselected value of a demographic category for an advertisement in determining whether to display the advertisement to the user of the STB. Knee describes a "best fit" approach to select one of many advertisements to be displayed at the STB by calculating the absolute difference between the preselected value and the user value for each demographic category.

The use of weighting described by Knee concerns user inputs received by the STB to determine a value for a demographic category for a user. Knee fails to describe the use of weighting to select from a plurality of advertisements for display where the weighted characteristics includes the past usage of each of the advertisements. This is contrast to claim 1 which recites, "applying a weighting to at least one characteristic of each advertisement ... wherein the at least one characteristic includes the past usage of the advertisement by the display device." The Office Action also contends that Keen makes use of the well-known mathematical principles of transitivity. However, the mathematical principles of transitivity fail to account for applying a weighting to the past usage of an advertisement stored on the display device as recited by claim 1 while Keen is silent on applying a weight to any characteristic of advertisements concerning past usage.

As noted above, the Office Action concedes that Zigmond fails to describe the use of weighting to select from a plurality of advertisements for insertion by a display device. Ficco is cited by the Office Action to show on-the-fly adaptation of advertisements in comparing sets together. Ficco describes the selection of an advertisement segment by an advertisement selection factor but fails to account for the noted deficiency. Thus, the combination of Zigmond, Knee and Ficco fails to describe each and every feature recited by claim 1 such that claim 1 is allowable over the combination. Claims 2-3, 7-11 and 32 depend from claim 1 are allowable for at least the same reasons.

Examiner's Response:

¶ 10. below applies. Examiner disagrees that the combined teachings of Zigmond, Knee and Ficco fail to disclose all the limitations of claim 1. As stated in the above rejection, Zigmond discloses wherein the past usage of a commercial is relevant to determining subsequent use, and this teaching in combination with Knee's teaching concerning weighing factors would have rendered it obvious to one of ordinary skill in the art at the time of the invention to have the past usage used as a weighing factor.

Applicant's arguments concerning claims 24-31 are not persuasive for the reasons listed above.

Applicant's arguments with respect to claim 32 and 33 have been considered but are moot in view of the new grounds of rejection.

Examination Considerations

7. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim.

In re Prater, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)” (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

8. Examiner’s Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner’s Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

9. Unless otherwise annotated, Examiner’s statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

10. Examiner’s Opinion: ¶¶ 7.-9. apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

11. Claims 1-3, 7-9, 11, 24-29 and 31-33 are rejected.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA TAYLOR whose telephone number is (571) 270-3755. The examiner can normally be reached on 8am-5pm, M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hirl can be reached on (571) 272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Josh Taylor/

Examiner, Art Unit 2426

/Joseph P. Hirl/

Supervisory Patent Examiner, Art Unit 2426

June 29, 2009